

PROGRAM GUIDE

THURSDAY—May 8, 2003

10:00 a.m.



1 Hour

Repeat Episode of April 10, 2003

- P.C. Section 1524.1: Warrant to Test Defendant's Blood for HIV
- Pitchess Motions: The Latest Word
- P.C. Section 148.6: Filing False Claim of Misconduct
- Unbroken Eye Contact With DUI Suspect Before Breath Test
- Warrantless Entry After Controlled Delivery Package
- Touching But Not Crossing Lane Divider Is Not Straddling

THURSDAY—May 15, 2003

10:00 a.m.



1 Hour

New Episode

- How to Get Sued
- Custody: Different Standards for Minors
- Pawned Property: Whose Is It?
- Protective Sweep Before Probation Search
- Warrantless Entry to Check on Welfare of Child
- 9th Circuit Holds Parole Searches Require Reasonable Suspicion

THURSDAY—May 22, 2003

10:00 a.m.

Crowd Management & Civil Disobedience 2003, Part 1

2 Hours New Telecourse Program

Provides an introduction and overview of crowd management and civil disobedience. Explores the objectives of law enforcement with crowd management, types of crowds, crowd behavior, protestor tactics, trends, and techniques, and "before the event" planning and tactics.

THURSDAY—May 29, 2003

10:00 a.m.

Crowd Management & Civil Disobedience 2003, Part 2

2 Hours New Telecourse Program

This second telecourse in the two-part series continues with "during the event" and "after the event" planning and tactics for crowd management and control. Special focus is also placed on command issues before, during, and after an event.

THURSDAY—May 8, 2003

10:00 a.m.



1 Hour

Repeat Episode of April 10, 2003

P.C. Section 1524.1: Warrant to Test Defendant's Blood for HIV

with Daniel Mc Nerney, Superior Court Judge, State of California

P.C. Section 1524.1 allows crime victims to request the court to issue a warrant to test the defendant's blood for HIV upon showing of probable cause to believe the defendant's bodily fluid was transferred to the victim. *Cases/Statutes cited: Humphrey v. Superior Court* (2002) 29 CA 569. (8:02)

Pitchess Motions: The Latest Word

with William Bedsworth, Justice of the Court of Appeal, State of California

This is the CA Supreme Court's third opinion in two years dealing with Pitchess motions, which pertain to disclosure of peace officer personnel files. Justice Bedsworth uses the *Alford* case to outline the rules of such motions and officers' rights in regard to them. *Cases/Statutes cited: Alford v. Superior Court* (2003) DJDAR 2135. (9:57)

P.C. Section 148.6: Filing False Claim of Misconduct Against Officer

with Daniel Mc Nerney, Superior Court Judge, State of California

The First Amendment right to free speech does not prohibit prosecution for filing a knowingly accusation of misconduct against a peace officer. *Cases/Statutes cited: In re Alejandro G.* (1995) 37 CA 4th 44; *People v. Roberts* (1970) 12 CA 3rd 80; *People v. Stanistreet* (2002) 29 CA 4th 497. (6:27)

Unbroken Eye Contact With DUI Suspect Before Breath Test

with Jeff Rubin, Alameda County District Attorney's Office

The requirement of "continuous observation" of a DUI suspect for 15 minutes before giving a breath test does not mean the officer must keep his/her eyes steadily focused on the suspect for the entire period so long as the officer is always within the presence of the suspect and can sense whether the suspect vomited, regurgitated, etc. *Cases/Statutes cited: Manriquez v. Gourley* (2003) 105 CA 4th 1127; CCR Title 17, Section 1219.3 (5:41)

Warrantless Entry After Controlled Delivery Package

with Jeff Rubin, Alameda County District Attorney's Office

Sometimes officers intercept a mailed package of narcotics addressed to a post office box. Not knowing what residence the package will ultimately be delivered to, it may not be possible to obtain an anticipatory warrant but rather, get a warrant for the residence where the package ends up. This segment discusses what circumstances will justify entry into that residence while waiting to get the warrant. *Cases/Statutes cited: U.S. v. Alaimalo* (9th Cir. 2002) 313 F.3d 1188. (6:33)

Touching But Not Crossing Lane Divider Is Not Straddling

with Jeff Rubin, Alameda County District Attorney's Office

A driver must cross the line or engage in pronounced weaving within the lane for a substantial distance to justify a stop for violation of the lane straddling law or for suspicion of DUI. *Cases/Statutes cited: U.S. v. Colin* (9th Cir. 2002) 314 F.3d 439; Veh. Code Section 21658(a). (5:37)

THURSDAY—May 15, 2003

10:00 a.m.



1 Hour

New Episode

How to Get Sued

with William Bedsworth, Justice of the Court of Appeal, State of California

Pierce County, Washington, and some of its deputies were sued for violating the rights of employees of a company where the deputies served a search warrant. Justice Bedsworth explains what the rules are in this type of civil lawsuit and explains how the deputies in this case went wrong. *Cases/Statutes cited: Ganwich v. Knapp* (2003) DJDAR (02/12/03). (8:57)

Custody: Different Standard for Minors

with Daniel Mc Nerney, Superior Court Judge, State of California

The Federal 9th Circuit Court of Appeals has recently articulated new additional factors it will evaluate in determining whether a minor was "in custody" for purposes of *Miranda*. *Cases/Statutes cited: Alvarado v. Hickman* (2002) DJDAR 14225. (9:58)

Pawned Property: Whose Is It?

with William Bedsworth, Justice of the Court of Appeal, State of California

This case explains the rules and procedures governing return of stolen property that has been pawned. It may not be as easy as you think, as highlighted in a recent case where police made the mistake of returning stolen property to its owner. *Cases/Statutes cited: Zeltzer v. City of Oakland* (2003) DJDAR 3851 (Apr. 9, 2003). (8:29)

Protective Sweep Before Probation Search

with Jeff Rubin, Alameda County District Attorney's Office

If an officer has reasonable suspicion that a residence harbors an individual who poses a risk of danger, the officer can conduct a protective sweep of that residence even when the officer is just doing a probation search and even though some of the areas swept are not under the control of the probationer. *Cases/Statutes cited: People v. Ledesma* (2003) 106 CA 4th 857; *Maryland v. Buie* (1990) 494 U.S. 325 (8:00)

Warrantless Entry to Check on Welfare of Child

with Jeff Rubin, Alameda County District Attorney's Office

Where officers arrest a suspect and learn she has left a 9-year-old child in a house in the middle of the night without supervision of any responsible adult, the "emergency exception" permits entry to check on the welfare of the child. *Cases/Statutes cited: U.S. v. Bradley* (9th Cir. 2003) 321 F.3d 1212. (8:00)

9th Circuit Holds Parole Searches Require Reasonable Suspicion

with Jeff Rubin, Alameda County District Attorney's Office

The Ninth Circuit has held that law enforcement must have reasonable suspicion before conducting a search of a parolee's residence pursuant to a parole search clause. This is inconsistent with CA Supreme Court law, which does not require reasonable suspicion. *Cases/Statutes cited: U.S. v. Crawford* (9th Cir. 2003) 2003 WL 735531; *People v. Reyes* (1998) 19 CA 4th 743. (8:00)

THURSDAY—May 22, 2003**10:00 a.m. Crowd Management & Civil Disobedience 2003, Part 1****2 Hours** New Telecourse Program

The first in a two-part series, this program provides an introduction and overview of crowd management and civil disobedience. The program begins with post-September 11 crowd behavior trends, followed by discussion of risks of ineffective crowd control. This telecourse program explores several other key areas, including:

- Objectives of law enforcement
- Types of crowds
- Crowd behavior
- Protestor Tactics, Trends, and Techniques
- "Before the Event" planning and tactics

For additional resources, see the new POST publication, **Crowd Management and Civil Disobedience Guidelines**, available only online at www.post.ca.gov under the "What's New" section.

This telecourse does not include a printed Reference Guide.

This telecourse is eligible for CPT credit. See back page for additional information about CPT credit for telecourse viewing, or go online for detailed instructions at www.post.ca.gov/training/cptn.

Course Module #03-05a.

THURSDAY—May 29, 2003**10:00 a.m. Crowd Management & Civil Disobedience 2003, Part 2****2 Hours** New Telecourse Program

The second in a two-part series, this Telecourse program continues with "during the event" and "after the event" planning and tactics for crowd management and control. Special focus is also placed on command issues before, during, and after an event. Program sections include:

- "During the event"
 - Crowd management and control
 - Dispersal orders
 - Tactical fundamentals
 - Use of force options
 - Incident documentation and evidence
- "After the event"
 - Debriefing and after action report
 - Criminal investigation
- Command Issues
 - Pre-event readiness
 - During the event
 - Post-event follow-up
 - Challenges to effective command

For additional resources, see the new POST publication, **Crowd Management and Civil Disobedience Guidelines**, available only online at www.post.ca.gov under the "What's New" section.

This telecourse does not include a printed Reference Guide.

This telecourse is eligible for CPT credit. See back page for additional information about CPT credit for telecourse viewing, or go online for detailed instructions at www.post.ca.gov/training/cptn.

Course Module #03-05b.

Next Month on CPTN



JUNE 5, 2003

10:00 a.m. Repeat of May 15, 2003



JUNE 12, 2003

10:00 a.m. New Episode

Auto Theft 2003

JUNE 19, 2003

10:00 a.m. New Telecourse Program

Auto Theft 2003

JUNE 26, 2003

10:00 a.m. Repeat of June 19, 2003

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CPTN will transition to direct-mail DVD.
See POST Bulletin #03-03 online at
www.post.ca.gov/bulletin